IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO: 7443 of 1996

Between:

1 Godivada Gopivenkata Rao, S/o. Chinnam Naidu,
R/o. Vedullavalasa, Vizianagaram Dist.
2 Kanakala Adinarayana, S/o. Appalaswamy,
Pedabantupalli, Vizianagaram Dist.
3 Kusumanchi Ganeswara Rao, S/o. late Gurumurty Shetty,
Nellimarla, Vizianagaram Dist.
4 Mutchupalli Venkata Satyanarayana , S/o. Appa Rao,
Nellimarla, Vizianagaram Dist.
5 Yerramsetty Suribabu, s/o. Pentayya,
Nellimarla, Vizianagaram Dist.
6 Tammireddy Tatababu, S/o. Appalaswamy,
R/o.Pedabantupalli,Parvathipuram (M), Vizianagaram Dist.

..... PETITIONERS

AND

1 Commissioner for Cooperation and Registrar of

Cooperative Societies A.P., Hyderabad.
2 Vizianagaram Dist. Cooperative Marketing Society

Ltd.,(No.4 rep.by it's Business Manager, Vizianagaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate Writ declaring that the action of the 2nd respondent contained in proceedings dt.31.3.96, purporting to terminate the services of the petitioners from the category of Helper/Salesman on the directions of the 1st respondent and without following the mandatory provisions of the Industrial

Disputes Act, is arbitrary, discriminatory and illegal and consequentially direct the respondents to continue the petitioners in service as Helper/Salesmen with all consequential benefits and regularise their services as Helper/Salesmen and also time scale of pay and grant such other reliefs.

Counsel for the Petitioners: MR.V.VENKATARAMANA

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following:

HONOURABLE SRI JUSTICE B.PRAKASH RAO

WRIT PETITION NO.7443 OF 1996

ORDER:

Heard both sides.

2. The petitioners, who are claiming to be the workers working with the respondent No.2, filed this writ petition, *inter alia*, seeking a writ of mandamus challenging the orders of directions of the first respondent dated 31.03.1996.

3. Though several contentions have been urged in this writ petition, the fact remains that the petitioners squarely fall within the definition of 'worker' and they have got an alternative efficacious remedy by raising the dispute before the Labour Court for appropriate reliefs.

4. In view of the same, I do not find any justification to entertain this writ petition.

5 . Accordingly, the Writ Petition is dismissed with a liberty to the petitioners, to avail the alternative remedies available under law.

B.PRAKASH RAO, J

30th November, 2004

SKM

TO

1 Commissioner for Cooperation and Registrar of

Cooperative Societies A.P., Hyderabad.
2 The Business Manager, Vizianagaram

Dist. Cooperative Marketing Society,

Ltd., Vizianagaram.

3. Two C.Cs. to G.P. for Cooperation, High Court Buildings,

High Court of A.P., Hyderabad, (OUT)

4. Two C.D. Copies.